

SENATE BILL No. 247

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-26-21.

Synopsis: Home medical equipment licensing. Removes specified home medical equipment from the definition of "home medical equipment" and redefines the term as equipment that is prescribed by a health care provider and either: (1) sustains, restores, or supplants a vital bodily function; or (2) is technologically sophisticated and requires individualized adjustment or maintenance. Defines "home medical services" to require both the: (1) sale, rental, delivery, or installation of home medical equipment; and (2) installation, maintenance, and instruction in the use of the equipment.

Effective: July 1, 2008.

Dillon

January 10, 2008, read first time and referred to Committee on Health and Provider Services.

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Second Regular Session 115th General Assembly (2008)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2007 Regular Session of the General Assembly.

SENATE BILL No. 247

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-26-21-2, AS ADDED BY P.L.122-2005,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2008]: Sec. 2. (a) As used in this chapter, "home medical
4 equipment" means ~~technologically sophisticated medical devices that~~
5 ~~may be used in a residence; including the following:~~

6 (1) ~~Oxygen and oxygen delivery systems.~~

7 (2) ~~Ventilators.~~

8 (3) ~~Respiratory disease management devices.~~

9 (4) ~~Continuous positive airway pressure (CPAP) devices.~~

10 (5) ~~Electronic and computerized wheelchairs and seating systems.~~

11 (6) ~~Apnea monitors.~~

12 (7) ~~Transcutaneous electrical nerve stimulator (TENS) units.~~

13 (8) ~~Low air loss cutaneous pressure management devices.~~

14 (9) ~~Sequential compression devices.~~

15 (10) ~~Feeding pumps.~~

16 (11) ~~Home phototherapy devices.~~

17 (12) ~~Infusion delivery devices.~~



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(13) Distribution of medical gases to end users for human consumption.

(14) Hospital beds.

(15) Nebulizers.

(16) Other similar equipment determined by the board in rules adopted under section 7 of this chapter: **equipment that:**

(1) is prescribed by a health care provider;

(2) sustains, restores, or supplants a vital bodily function; and

(3) is technologically sophisticated and requires individualized adjustment or regular maintenance.

(b) The term does not include the following:

(1) Walkers.

(2) Ambulatory aids.

(3) Commodes.

SECTION 2. IC 25-26-21-3, AS ADDED BY P.L.122-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3. As used in this chapter, "home medical equipment services" means the:

(1) sale, rental, delivery, or installation; and

~~(2) rental;~~

~~(3) delivery;~~

~~(4) installation;~~

(5) (2) installation, maintenance, or replacement, or and instruction in the use;

~~(6) instruction in the use;~~

of medical equipment used by an individual that allows the individual to reside in a noninstitutional environment.

SECTION 3. IC 25-26-21-7, AS ADDED BY P.L.122-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 7. (a) The board may adopt rules under IC 4-22-2 to do the following:

~~(1) Specify home medical equipment in addition to the home medical equipment set forth in section 2 of this chapter that is to be regulated under this chapter.~~

~~(2) Set standards for the licensure of providers.~~

~~(3) Govern the safety and quality of home medical equipment services that are provided to customers.~~

~~(4) Specify the amount of insurance coverage required under section 6(b)(3) of this chapter.~~

~~(5) Set reasonable fees for the application, issuance, and renewal of a license under this chapter and set other fees permitted under IC 25-1-8.~~

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1 (b) The board may consult with individuals engaged in the home
2 medical equipment services business to advise the board on the
3 formulation of rules under subsection (a). The individuals may not be
4 compensated or reimbursed for mileage by the board.

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